

Serial No. 09/537,506
Docket No. 10655.9400

REMARKS

In the January 18, 2005 Office Action, the Examiner rejected claims 47-55 pending in the application. Upon entry of the foregoing amendments, claims 47-55 (2 independent claims; 9 total claims) remain pending in the application. Applicants request reconsideration in view of the above amendments and the following remarks.

Rejections Under 35 U.S.C. § 102(e)

Claims 47-55 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Israel *et al.*, U.S. Patent Application Publication No. US 2004/0210540 A1 ("Israel"). Applicants respectfully traverse this rejection.

Israel teaches a system that enables adverse parties to conduct and manage a non-judicial dispute resolution. When users of the Israel system add disputes to the system, they are "prompted to select a profile classification as either a plaintiff or a defendant." (Israel Paragraph 0133) The nature of the dispute is selected by the user from a displayed general list and the nature of the dispute is a cause of action recognized by a judicial system such as a bad loan, landlord/tenant dispute, personal injury, and the like. (Israel Paragraph 0134) Thereafter, the user selects "an Opposing Party from a list" or a new Opposing Party. (Israel Paragraph 0135) Next, the user enters additional dispute information. The user is prompted to enter additional dispute information (Paragraph 0139). Graphic displays may be provided, such as a skeleton for identifying body parts if the dispute involves personal injury. (Israel Paragraphs 0139-0140, Figures 3 and 4)

In the Office Action, the Examiner does not state the specific sections of Israel that disclose the above recited claim elements. Rather, the Examiner makes the blanket contention that "paragraphs 0009, 0011, 0014, 0016, 00356, 0053, 0060, 0132, 0134-0138, 0144, 0145, 0150, 0151" anticipates each and every element of independent claims 47 and 51. However, a close inspection of these sections of Israel, and of the entire Israel reference, reveals that Israel does not teach, disclose or even suggest each and every element of independent claims 47 and 51 as required by MPEP 2131. As stated above, the user of the Israel system "is prompted to enter additional dispute information" (Paragraph 0139), so Israel does not include any disclosure or suggestion of a predetermined resolution protocol. The user of the Israel system does not select from a predetermined set of electronic dispute resolution templates or from a pre-defined set of

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forms. Accordingly, Israel does not disclose or suggest "said Issuer initiating, in response to said notice from said cardmember, a predetermined resolution protocol, wherein the purpose of said protocol is to resolve an ensuing dispute between said Issuer and an Acquirer with respect to a backend processing transaction associated with said purchase transaction" or "wherein said resolution protocol comprises the steps of: selecting, by said Issuer, from a discrete, predetermined set of electronic dispute resolution templates, a first template," as recited by independent claim 47. Similarly, Israel does not disclose or suggest "retrieving from said server a pre-defined set of Issuer dispute handling forms having pre-defined content which coincide with said User ID" or "selecting, by said Issuer, one of said pre-defined set of Issuer forms at said first access terminal," as recited by independent claim 51.

Accordingly, Israel does not disclose or suggest at least "said Issuer initiating, in response to said notice from said cardmember, a predetermined resolution protocol, wherein the purpose of said protocol is to resolve an ensuing dispute between said Issuer and an Acquirer with respect to a backend processing transaction associated with said purchase transaction" or "wherein said resolution protocol comprises the steps of: selecting, by said Issuer, from a discrete, predetermined set of electronic dispute resolution templates, a first template," as similarly recited by independent claims 47 and 51.

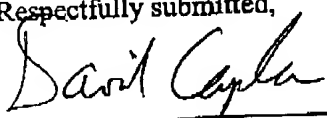
Dependent claims 48-50 and 52-55 variously depend from independent claims 47 and 51, so dependent claims 48-50 and 52-55 are differentiated for at least the same reasons for differentiating the independent claims, as well as in view of their own respective features.

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CONCLUSION

In view of the foregoing, Applicants respectfully submit that all of the pending claims, namely 47-55, fully comply with 35 U.S.C. §112 and are allowable over the art of record. Reconsideration of the application is respectfully requested. Should the Examiner wish to discuss any of the above in greater detail or deem that further amendments should be made to improve the form of the claims, then the Examiner is invited to contact the undersigned at the Examiner's convenience. Applicants authorize and respectfully request that any fees due be charged to Deposit Account No. 19-2814, including any required extension fees.

Date: 14-April-2005

Respectfully submitted,

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